

REMARKS

Reconsideration of the present application is respectfully requested.

Claims 1-23 are pending in the application, of which Claims 1, 7, 10 and 14 are written in independent form. It is gratefully acknowledged that the Examiner objected to Claims 5 and 11, but would allow these claims if rewritten in independent form including the limitations of the base claim and any intervening claims.

Under 35 U.S.C. §103(a), the Examiner rejected Claims 1-4, 6-10 and 12-23, as being unpatentable over U.S. Publication No. 2003/0227978 to *Magee et al.* (hereinafter *Magee*) in view of U.S. Publication No. 2003/2003/0231714 to *Kjeldsen et al.* (hereinafter *Kjeldsen*).

Regarding the §103(a) rejection of Claims 1-4, 6-10 and 12-23, Applicants respectfully traverse.

Specifically, as to Claim 1 the Examiner alleged that *Magee* teaches all that is recited in the claim, EXCEPT providing unique words having a constant amplitude and a non-periodic auto-correlation characteristic, and that *Kjeldsen* cures this shortcoming in *Magee*. However, it is respectfully asserted that *Magee* further fails to teach filling the copied data and unique words in the guard interval and filling the data row in the data interval, as recited *inter alia* in Claim 1, at least because *Magee* does not specify that copied data and unique words are filled in the guard interval. Further, the Examiner cited the L and v in 140 of FIG. 1 as reading on the copied data and unique words in Claim 1, but L and v instead relate to a cyclic prefix (last v samples) and postfix (first L samples), which does not read on the recitation at issue.

Moreover, the unique word UW in *Kjeldsen* concerns the beginning of the transmit frame, whereas “L” in *Magee* is a cyclic postfix (hence, $N + v + L$ in FIGs. 1 and 2), appended to the end of the time domain samples. These two appear to be different, and it is respectfully asserted that the rejection does not state why it would have been obvious to modify *Magee* with

Kjeldsen in the face of this apparent distinction, rendering the rejection deficient in terms of *prima facie* obviousness.

In addition, Claim 1 recites a guard interval in which the copied data and the unique words are included, while in *Magee* only the copied data is inserted in the guard interval.

In other words, as “L” of item 140 in *Magee* cited by the Examiner is a cyclic postfix which is located after a data interval, *Magee* does not disclose the feature of the unique word sequence in the present claims.

The Examiner further alleged that *Kjeldsen* discloses the feature of the unique word sequence. However, *Kjeldsen* does not disclose the feature that both the unique word sequence and the copied data are inserted in the guard interval.

Claim 1 recites that both the copied data and the unique word are inserted in the guard interval. However, for at least the foregoing reasons it is respectfully asserted that the combination of *Magee* and *Kjeldsen* does not disclose or suggest the guard interval in which both the copied data and the unique word are inserted, as claimed.

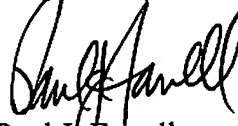
Independent Claims 7, 10 and 14 also disclose the guard interval in which both the copied data and the unique word are inserted. Accordingly, it is respectfully submitted that those independent claims are not obvious over the cited references for at least the same reasons as set forth above with respect to the rejection of claim 1.

Accordingly, it is respectfully submitted that the §103(a) rejection is incorrect, and should be withdrawn. Withdrawal of the same is respectfully requested.

Independent Claims 1, 7, 10 and 14 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4, 6, 8-9, 12-13 and 15-23, these are likewise believed to be allowable by virtue of their dependence on their respective independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-4, 6, 8-9, 12-13 and 15-23 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-23, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over a horizontal line.

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